IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R. RAMACHANDRAN NAIR

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

LA. App. No. 1494 of 2002

LAR. 86/1998 of ADDL. SUB COURT, NORTH PARAVUR
.....

APPELLANTS (A AND C PARTY IN THE COURT BELOW):
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1. **BABY ALIAS POULOSE, DESCRIBED AS BABY ALIAS PATHROSE AGED 57, SON OF PATHROSE, PYNADATHU HOUSE, AVANAMCODE, THE PRESENT ADDRESS BEING PYNADATHU HOUSE, KAVARAPARAMBU, NAYATHODE P.O.**

2. **SABU PATHROSE, DESCRIBED MISTAKENLY AS BABU PATHROSE, AGED 44, SON OF PATHROSE THROUGH POWER OF ATTORNEY HOLDER P.P. RAJAN, S/O. PATHROSE PYNADATHU HOUSE, M.O. ROAD, ALUVA.**

BY ADV. SRI. R.D. SHENOY
SRI. S. SACHITHANANDA PAI
SRI. S. VINOD BHAT

RESPONDENTS: RESPONDENTS:
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1. **STATE OF KERALA.**

2. **KOCHI INTERNATIONAL AIR PORT SOCIETY KOCHI AIR PORT, NEDUMBASSERY.**

BY ADV. SRI. N.N. SUGUNAPALAN (SC) for R2.
GOVERNMENT PLEADER SRI. K.V. MANOJKUMAR.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & T.R. RAMACHANDRAN NAIR, JJ.

L.A.A. No. 1494 OF 2002

Dated this the 3rd day of July, 2007.

J U D G M E N T

Kurian Joseph, J.

This is an appeal filed against the judgment and decree in L.A.R. No. 86/1998 on the file of Additional Sub Court, North Paravur.

2. It is seen that the requisitioning authority had filed appeal against the same judgment and decree as L.A.A. No. 1442/2002. That appeal was disposed of remanding the case with liberty to both parties to adduce evidence before the Reference Court.

In the above circumstances, it is not necessary to keep this appeal pending any more before this Court. The fate of the appeal L.A.A. No. 1442/2002 has to govern this appeal also. Since the appeal is consequently remanded, appellants will be entitled to refund of the court fee. Registry will send back the records, if any, immediately.

KURIAN JOSEPH
JUDGE

T.R. RAMACHANDRAN NAIR
JUDGE

smp